



Proposed Plan Change X

Amendments to Schedule 14 Historic Heritage
Schedule, Statements and Maps in the
Auckland Unitary Plan (Operative in part)

**SECTION 32
EVALUATION REPORT**

5/10/2017

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1 Introduction

1.1 Scope and purpose of this report

This report is prepared by Auckland Council (**Council**) to fulfil the statutory requirements of section 32 of the Resource Management Act 1991 (**the Act**) for proposed Plan Change X (**PPCX**) to the Auckland Unitary Plan (Operative in Part) (**AUP**).

PPCX introduces changes to Chapter L Schedules, Schedule 14.1 Schedule of Historic Heritage (**Schedule 14.1**).

The plan change seeks to amend a number of historic heritage places in the AUP's Historic Heritage Overlay, as identified in Schedule 14.1 and the GIS viewer/planning maps. The amendments will correct errors and, where appropriate, update information on these places. The amendments enable the provisions of the AUP to apply appropriately to these historic heritage places, and will assist in their management and protection.

Section 32 of the Act requires that before adopting any objective, policy, rule, or other method, the Council shall have regard to the extent to which each objective is the most appropriate way to achieve the purpose of the Act, and whether the policies and rules or other methods are the most appropriate way of achieving the objectives. A report must be prepared summarising the evaluation and giving reasons for the evaluation.

In accordance with section 32(6) of the Act and for the purposes of this report:

- the 'proposal' means PPCX,
- the 'objectives' means the purpose of the proposal/PPCX, and
- the 'provisions' means the policies, rules or other methods that implement, or give effect, to the objectives of the proposal.

The AUP contains existing objectives, policies, and rules or other methods for the purpose of managing historic heritage places. PPCX is not altering or re-litigating any of these provisions. This evaluation report on PPCX relates only to the amendment of individual historic heritage places identified in the Historic Heritage Overlay within the existing policy framework of the AUP. The policy approach remains unchanged, and this report will not evaluate it in any more detail.

This section 32 evaluation will continue to be refined in relation to any consultation that occurs, and in relation to any new information that may arise, including through submissions and during hearings.

1.2 Background to the proposed plan change

The AUP contains objectives, policies and rules to protect significant historic heritage from inappropriate subdivision, use and development. The AUP methods to achieve this protection are primarily focused on the Historic Heritage Overlay.

Through the creation of the AUP, each historic heritage place identified in the Historic Heritage Overlay was either “rolled over” from a legacy plan and/or introduced through the AUP process. The Historic Heritage Overlay contains over 2,200 scheduled historic heritage places, identified in Schedule 14.1 and the GIS viewer/planning maps.

A number of places identified in the Historic Heritage Overlay are subject to errors and/or information that requires updating, for example changes to align with the Council’s property information, including legal descriptions and street addresses. Some places also require amendments to ensure there is consistency with how similar places are identified, particularly within Schedule 14.1.

All places included in PPCX have been included within the Historic Heritage Overlay primarily for their built heritage values.

The Council is currently progressing Proposed Plan Change 4: Administrative (**PPC4**) to the AUP. PPC4 proposes amendments to the identification of 21 historic heritage places, both in Schedule 14.1 and the GIS viewer/Planning maps. These 21 places were subject to the correction of errors only and therefore meet the administrative scope of PPC4.

2 The proposed plan change

PPCX introduces changes to individual historic heritage places identified within the Historic Heritage Overlay. The changes proposed are amendments to Schedule 14.1 and/or to the GIS viewer/planning maps to correct errors and update information for 145 historic heritage places.

The plan change documents for PPCX show:

- proposed amendments to the text of Schedule 14.1, and/or
- proposed amendments to the extent of place within the GIS viewer/planning maps.

An index forms part of the plan change documentation. The index lists the 145 historic heritage places subject to PPCX and identifies if an amendment is proposed to the text of Schedule 14.1 and/or to the GIS viewer/planning maps for each place.

3 Reasons for the proposed plan change

An evaluation under section 32 of the Act must examine the extent to which the objectives of PPCX are the most appropriate way to achieve the purpose of the Act.¹ The objective of PPCX, or the purpose of the plan change, is to correct errors and, where required, update information for 145 historic heritage places identified within the Historic Heritage Overlay of the AUP.

¹ RMA s32(1)(a)

The plan change will assist the Council to carry out its functions in order to achieve the purpose of the Act, being to promote the sustainable management of natural and physical resources.

Built heritage and character is identified as an issue of regional significance in the AUP's Regional Policy Statement (**RPS**)². Chapter B5.1 of the RPS states following issues:

- (1) *Auckland's distinctive historic heritage is integral to the region's identity and important for economic, social, and cultural well-being.*
- (2) *Historic heritage needs active stewardship to protect it from inappropriate subdivision, use and development.*

The approach of the AUP is to protect significant historic heritage from inappropriate subdivision, use and development, in the context of the identified values of each historic heritage place. The AUP methods to achieve this protection are primarily focused on Schedule 14.1, which identifies and recognises historic heritage places, and includes these places in the Historic Heritage Overlay.

A number of historic heritage places identified within the Historic Heritage Overlay are subject to known errors. PPCX seeks to correct these errors and, where appropriate, update information for these places. The amendments enable the provisions of the AUP to apply appropriately to these historic heritage places, and will ensure that they are protected from inappropriate subdivision, use, and development. PPCX is considered to be the most appropriate way to achieve the purpose of the Act, as outlined in the analysis below.

3.1 Development of options

In the preparation of PPCX, the following options have been identified:

Option 1 – do nothing/retain the status quo, and

Option 2 – a plan change to amend errors and update information within the Historic Heritage Overlay.

3.2 Evaluation of options

See following table for a summary of analysis under section 32(2) of the Act.

² AUP B1.4 Issues of regional significance

Options	Efficiency and effectiveness of provisions in achieving the objectives ³	Benefits	Costs
<p>Option 1 Do nothing/retain status quo <i>Do not correct errors, meaning places would continue to be identified in the Historic Heritage Overlay but with incorrect/outdated information.</i></p>	<p>Will not achieve the objective of PPCX, being to correct errors and, where required, update information for 145 historic heritage places identified within the Historic Heritage Overlay.</p> <p>Is not efficient or effective due to increased time and money resulting from using incorrect/outdated information.</p> <p>No benefit to the owners of historic heritage places as the use and development of the properties will continue to be constrained by the Historic Heritage Overlay, albeit using incorrect/outdated information.</p>	<p>Short term cost saving to Council, not proceeding with a plan change.</p>	<p>Places may not be appropriately managed and protected, and the loss of their significant historic heritage values could occur through inappropriate subdivision, use and, development.</p> <p>Cost to landowners in some cases by the Schedule containing errors that impose an additional and unnecessary consenting burden.</p> <p>Knowledge that Schedule 14.1 and the GIS viewer/planning maps contain errors is likely to affect the integrity of the Historic Heritage Overlay and the AUP and may have a reputational cost to Council.</p>
<p>Option 2 – plan change</p>	<p>The amendment of historic heritage places to correct errors and update information means the places, as well as their values and significance, are clearly identified. This ensures these places are protected and managed appropriately through the Historic Heritage Overlay.</p> <p>For the Historic Heritage Overlay to be efficient and effective, Schedule 14.1 and the GIS viewer/planning maps must use correct and up-to-date information.</p>	<p>Greater certainty to landowners, with how the regulatory controls relate to their property being correctly and more clearly set out.</p> <p>Social and cultural benefits through the recognition, protection and appropriate management of significant historic heritage places.</p> <p>Integrity of the Historic Heritage Overlay and of the AUP is protected.</p> <p>No economic growth or employment benefits anticipated.</p>	<p>Cost to the Council of proceeding with a plan change.</p> <p>Cost to the landowner if there is disagreement with a proposed amendments, through the need to engage with the plan change process.</p> <p>There may be perceived opportunity costs, through particular properties being subject to greater management and protection through the correction of errors, in the application of the Historic Heritage Overlay.</p>

³ RMA s32(1)(b)(ii)

3.3 Risk of acting or not acting

Section 32(2)(c) requires this evaluation to assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. There is considered to be sufficient information for the places included in PPCX for the plan change to proceed.

The section 32 evaluation will continue to be refined in relation to any new information that may arise following notification, including during hearings on PPCX.

3.4 Reasons for the preferred option

All places proposed to be included in PPCX are subject to an error. To ensure these historic heritage places are identified using correct and up-to-date information, amendments to Schedule 14.1 and the GIS viewer/planning maps are required. Therefore, the 'do nothing' approach is not considered to be an appropriate option.

The evaluation of options conducted in section 3.2 of this report shows that the preferred option for meeting the objectives of the proposal, and the most efficient and effective option, is a statutory plan change to the AUP to amend individual historic heritage places within Schedule 14.1 and the GIS viewer/planning maps to correct errors and update information.

In accordance with section 32(1)(a), the objectives of the proposal are the most appropriate way to achieve the purpose of the Act. No new objective or policy is proposed in PPCX. PPCX uses the existing objectives, policies and rule framework for the recognition and protection of historic heritage.

4 Resource Management Framework

4.1 Part 2 of the Act

The purpose of the Act is to promote the sustainable management of natural and physical resources, as defined in section 5(2) of the Act. Part 2 matters in the Act relevant to significant historic heritage as provided for in the AUP include:

- Section 6(f) the protection of historic heritage from inappropriate subdivision, use and development.

Historic heritage is also relevant to sections 7 and 8 of the Act:

- section 7(aa) the ethic of stewardship,
- section 7(c) the maintenance and enhancement of amenity values,
- section 7(f) the maintenance and enhancement of the quality of the environment,
- section 7(g) finite characteristics of natural and physical resources, and
- section 8 the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

PPCX is consistent with Part 2 of the Act, and in particular with the purpose of the Act, as it seeks to provide for the sustainable management of Auckland's historic heritage resources.

The amendment of historic heritage places within the Historic Heritage Overlay will continue to provide for the use, development, and protection of these physical resources and for them to be managed in a way, or at a rate which enables people and communities to provide for their social, economic, and cultural well-being, and for their health and safety.

The management and protection of historic heritage is a core responsibility of the Council's role in exercising its powers and functions under the Act. The scheduling of historic heritage places is an appropriate method for assisting the management of significant historic heritage resources in Auckland. This relies on the use of correct and up-to-date information to identify historic heritage places, both within Schedule 14.1 and the GIS viewer/planning maps.

4.2 Other relevant sections of the Act

Section 31(a) of the Act states that a function of the Council is: the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district. It is considered that PPCX assists the Council to carry out its functions as set out in section 31 of the Act.

Section 74 of the Act sets out the matters to be considered by a territorial authority when preparing or changing its district plan. These matters include any proposed RPS, proposed regional plan, and management plans or strategies prepared under other legislation, relevant entries in the New Zealand Heritage List/Rārangī Kōrero (**NZHL/RK**) (to the extent that these are relevant to the resource management issues of the district). The authority must take into account any relevant planning document recognised by an iwi authority to the extent that its content has a bearing on the resource management issues of the district, but must not have regard to trade competition.

When determining the date on which a plan change takes effect the Act provides in section 86B(3) that:

A rule in a proposed plan has legal effect only once a decision on submissions relating to the rule is made and publicly notified.

Exceptions are provided in section 86B(3) of the Act, where a rule in a proposed plan has immediate legal effect if the rule:

(d) protects historic heritage.

Schedule 14.1 is a rule in the AUP. In accordance with section 86B(3), the PPCX amends a rule that protects historic heritage and therefore will have immediate legal effect.

4.3 National Policy Statements

National policy statements are instruments issued under section 52(2) of the Act and state objectives and policies for matters of national significance. The AUP is required to give effect

to any national policy statements⁴. The only national policy statement that is relevant to the proposed plan change is the New Zealand Coastal Policy Statement (**NZCPS**).

New Zealand Coastal Policy Statement

Of the historic heritage places proposed to be amended through PPCX, three are located within the coastal marine area, with other places located within the wider coastal environment.

Objective 6 of the NZCPS is relevant to historic heritage. The objective seeks to enable people and communities to provide for their social, economic and cultural wellbeing and their health and safety, through subdivision, use and development, recognising that: *historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use and development.*

A number of policies in the NZCPS generally relate to historic heritage in the coastal environment⁵. Policy 17 specially relates to the identification and protection of historic heritage in the coastal environment from inappropriate subdivision, use and development.

The PPCX gives effect to the NZCPS as it assists in the identification, and therefore the recognition and protection, of places from inappropriate subdivision, use and development.

4.4 National Environmental Standards

There are currently five National Environmental Standards in force as regulations, but none of these relate to the management and protection of historic heritage.

4.5 National Planning Standards

The purpose of the National Planning Standards (**Standards**) is to improve consistency in plan and policy statement structure, format and content so they are easier to prepare, understand, compare and comply with. The Standards will also support implementation of national policy statements and help people observe the procedural principles of the Act.

The Standards, which were introduced as part of the 2017 amendments to the Act, are currently under development. The first set of Standards is expected to be formally notified in April 2018 so is not yet relevant to PPCX.

4.6 Other Acts

Heritage New Zealand Pouhere Taonga Act 2014

Heritage New Zealand Pouhere Taonga (**Heritage NZ**) is the principal agency operating under the Heritage New Zealand Pouhere Taonga Act 2014 (**HNZPTA**). Heritage NZ maintains the NZHL/RK⁶ for the purposes of providing information to the public and landowners, and to promote and assist in the protection of these places. The NZHL/RK is

⁴ RMA s67(3) and s75(3)

⁵ NZCPS policies 1(2)(g), 6(1)(j), 20(1)(e) and 26(1)

⁶ The NZHL/RK includes historic places, historic areas, waahi tapu and waahi tapu areas

primarily an advocacy tool and the inclusion of a place on this list does not in itself protect the place.

Protection of some heritage places is also achieved through the regulatory provisions of the HNZPTA. Part 3 of the HNZPTA requires any person wishing to undertake work that may damage, modify or destroy an archaeological site to obtain an authority from Heritage NZ for that work.

Thirty six places proposed to be amended in PPCX are included in the NZHL/RK. Amending these places is compatible with the NZHL/RK and the HNZPTA.

Hauraki Gulf Marine Park Act 2000

The Hauraki Gulf Marine Park Act 2000 (**HGMPA**) was established to promote integrated management and the protection and enhancement of the Hauraki Gulf, its islands, and its catchments. In order to achieve the purpose of the HGMPA, all persons exercising powers or carrying out functions for the Hauraki Gulf under any Act specified in Schedule 1 must, in addition to any other requirement specified in those Acts for the exercise of that power or the carrying out of that function, have particular regard to the provisions of sections 7 and 8.

Section 7 of the HGMPA recognises the national significance of the Hauraki Gulf. Section 8 of the HGMPA seeks to protect and enhance the Hauraki Gulf's resources, including its historic resources.

The Hauraki Gulf Marine Park includes all the coast and coastal marine area from Mangawhai in the north and to an area beyond the Auckland region in the south. The catchment area of the park extends inland to the first ridgeline. A number of historic heritage places proposed to be included in PPCX are therefore within the park's boundaries.

The amendment of historic heritage places within the Hauraki Gulf Island Marine Park has particular regard to sections 7 and 8 of the HGMPA as it will assist in the protection and enhancement of these places and is therefore compatible with the HGMPA.

Reserves Act 1997

The purpose of the Reserves Act is for the Department of Conservation (**DOC**) or local authorities (where DOC has delegated responsibility), to administer land for its preservation and management for the benefit and enjoyment of the public. These areas of reserve land possess various values and features, including those that are historic in nature.

A number of historic heritage places subject to PPCX are located within reserves managed by Auckland Council. The proposed amendment of historic heritage places within these reserves supports the historic values of the reserves, and has the potential to enhance the benefit and enjoyment of the public of these places, due to the places and their values being identified correctly.

Waitakere Ranges Heritage Area Act 2008

Of the historic heritage places proposed to be amended through PPCX, one is located within the Waitakere Ranges heritage area, being ID 00076, War Memorial, 500 South Titirangi Road, Titirangi.

The purpose of the Waitakere Ranges Heritage Area Act 2008 (**WRHAA**) is to recognise the national, regional and local significance of the Waitakere Ranges heritage area and to promote the protection and enhancement of its heritage features for present and future generations. The objectives of establishing and maintaining the heritage area include the protection, restoration, and enhancement of the area and its heritage features, and to ensure that impacts on the area as a whole are considered when decisions are made affecting any part of it.

Amendments to the scheduling of the War Memorial will assist in the protection and enhancement of this heritage feature within the heritage area. The amendment therefore gives effect to the purpose of the WRHAA and its objectives.

4.7 The Auckland Plan

The Auckland Plan seeks to protect and conserve Auckland's historic heritage for the benefit and enjoyment of present and future generations⁷.

PPCX will assist with the protection and conservation of Auckland's historic heritage for the benefit and enjoyment of present and future generations, through using correct and up-to-date information to identify these places.

4.8 The Auckland Unitary Plan

When preparing or changing a district plan, Council must give effect to any RPS and have regard to any proposed RPS⁸. The RPS identifies a number of issues of regional significance, including:

B5 Ngā rawa hanganga tuku iho me te āhua – Built heritage and character

Chapter B5 contains two objectives:

- (1) *Significant historic heritage places are identified and protected from inappropriate subdivision, use and development.*
- (2) *Significant historic heritage places are used appropriately and their protection, management and conservation are encouraged, including retention, maintenance and adaptation.*

These objectives are supported by policies B5.2.2 (1) to (9). The objective of PPCX aligns with these objectives and policies as it seeks to correctly identify, and therefore protect, historic heritage places by using correct and up-to-date information.

⁷ Auckland Plan, Strategic Direction 4

⁸ RMA s74(2) and s75(3)

B6 Mana Whenua

The objectives and policies in B6.3 Recognising Mana Whenua values are relevant to PPCX. Council staff met representatives from Waiohua – Te Ahiwaru – Makaurau and Te Kawerau Iwi Tribal Authority & Settlement Trust to discuss the proposed plan change. Council has not received feedback from the other iwi authorities, as outlined in section 5.2 below.

B8 Toitū te taiwhenua – Coastal environment

This chapter contains objectives and policies relating to the natural character of the coastal environment; subdivision, use and development of the coastal environment; public access and open space; and managing the Hauraki Gulf.

Three historic heritage places in PPCX are located in the coastal marine area, with other places located within the wider coastal environment. The objective of the plan change aligns as it seeks to correctly identify these places and therefore assist in ensuring any subdivision, use and development of the place is appropriate to its values.

5 Development of the Proposed Plan Change

This section outlines the development of PPCX and the consultation undertaken in preparing the plan change.

5.1 Methodology

Background

Each historic heritage place included in PPCX has, as part of a previous process, been evaluated for its historic heritage significance. These historic heritage places have been determined to have considerable or outstanding value in relation to one or more of the RPS evaluation criteria, and have considerable or outstanding overall significance to their locality or a greater geographic area⁹. For this reason, these places have been included within the Historic Heritage Overlay, and identified within Schedule 14.1 and the GIS viewer/planning maps.

All places included in PPCX have been included within the Historic Heritage Overlay primarily for their built heritage values.¹⁰

⁹ AUP Policy B5.2.2(3)

¹⁰ Places identified predominantly for their archaeological or Māori heritage values are subject to a different work programme within the Heritage Unit and will be the subject of other future plan change processes.

The identification of historic heritage places within Schedule 14.1 is required to be in accordance with:

- RPS Policy B5.2.2; and
- the Methodology for Evaluating Historic Heritage Significance (**Methodology**)¹¹.

Through the creation of the AUP each historic heritage place was either rolled over from a legacy plan or introduced through the AUP process to Schedule 14.1. Schedule 14.1 contains over 2,200 schedule historic heritage places.

While many legacy errors were corrected through the AUP process and the creation of Schedule 14.1, some legacy errors were rolled over and some new errors were introduced during the AUP process.

In addition to the errors, some places require amendments to align with the Council's property information, including legal descriptions and street addresses. Some places also require amendments to ensure there is consistency with how similar places are identified within Schedule 14.1.

Places previously introduced to the legacy Auckland Council District Plan – Operative North Shore Section 2002 through Proposed Plan Change 38¹² also require amendment and are included in PPCX. These places are within the Historic Heritage Overlay but are identified as dots on the GIS viewer/planning maps. PPCX proposes the addition of an extent of place to 62 of these places.

Review of historic heritage places

Schedule 14.1 contains a number of known errors. These errors have been identified by Council staff and the public.

Further errors were identified through a systematic review of Schedule 14.1 and the GIS viewer/planning maps undertaken by staff of the Heritage Unit. The purpose of the review was to ensure that the text and maps for scheduled historic heritage places align, and that the information was correct and up-to-date.

A number of errors and inconsistencies were identified, including:

- the extent of place is incorrect;
- primary features and/or exclusions are not identified or are incorrect;
- category A places have no primary feature identified;
- a place has duplicate entries within the schedule and should be merged;
- minor amendments are required for sense and for consistency.

¹¹ The Methodology is a non-regulatory method of achieving the objectives and policies of the AUP. It provides guidance on the process of evaluating the significance of historic heritage places against the criteria set out in the RPS.

¹² Being Changes to the legacy plan Appendix 11A: Schedule of Buildings, Objects and Places of Heritage Significance.

As part of this review, a principle of “refining management” was introduced. This was defined as ensuring the management of a historic heritage place is specific to the values and significance of that place.

To refine management, once a place was identified as containing an error, the place was then subject to further review. This is specific to each place, but has involved:

- i. If the place was category A*, a review to clarify if a place is category A or category B;
- ii. Identification of a primary feature;
- iii. Correction/updating of any other column, including name, legal description, exclusions, and heritage values, as required; and/or
- iv. Revising or, where required, identifying the mapped extent of place.

Where possible, errors were corrected through a Clause 20A process under the Act. Clause 20A of Schedule 1 of the Act allows Council to amend, without using the process in the schedule, an operative policy statement or plan to correct any minor errors. The majority of Clause 20A errors were corrected through a plan update on 20 June 2017. If errors did not meet the Clause 20A test they were considered for inclusion within PPCX.

Places subject to errors not included within PCX

Not all places with known errors are included within PPCX. Furthermore, it is expected that errors will continue to be identified. These places will be the subject of a future plan change.

5.2 Consultation undertaken

In accordance with clause 3 of Schedule 1 of the Act, during the preparation of a proposed policy statement or plan, the local authority shall consult with:

- a) *the Minister for the Environment; and*
- b) *those other Ministers of the Crown who may be affected by the policy statement or plan; and*
- c) *local authorities who may be so affected; and*
- d) *the tangata whenua of the area who may be so affected, through iwi authorities; and*
- e) *any customary marine title group in the area.*

A local authority may consult anyone else during the preparation of a proposed policy statement or plan. A letter was sent on 24 July 2017 to the Ministry for the Environment and Heritage New Zealand. No responses were received.

Consultation with iwi authorities

In accordance with clause 3B of Schedule 1 of the Act, for the purposes of clause 3(1)(d), a local authority is to be treated as having consulted with iwi authorities in relation to those whose details are entered in the record kept under section 35A, if the local authority—

- (a) *considers ways in which it may foster the development of their capacity to respond to an invitation to consult; and*

- (b) establishes and maintains processes to provide opportunities for those iwi authorities to consult it; and*
- (c) consults with those iwi authorities; and*
- (d) enables those iwi authorities to identify resource management issues of concern to them; and*
- (e) indicates how those issues have been or are to be addressed.*

In addition to the above, recent legislation changes to the Act introduced the following sections in relation to iwi authorities:

Section 32(4A):

(4A) If the proposal is a proposed policy statement, plan, or change prepared in accordance with any of the processes provided for in Schedule 1, the evaluation report must—

- (a) summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and*
- (b) summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.*
- (c) a summary of all advice received from iwi authorities on the PPCX (section 32 (4)(a) of the Act).*

Schedule 1

4A Further pre-notification requirements concerning iwi authorities

(1) Before notifying a proposed policy statement or plan, a local authority must—

(a) provide a copy of the relevant draft proposed policy statement or plan to the iwi authorities consulted under clause 3(1)(d); and

(b) have particular regard to any advice received on a draft proposed policy statement or plan from those iwi authorities.

(2) When a local authority provides a copy of the relevant draft proposed policy statement or plan in accordance with subclause (1), it must allow adequate time and opportunity for the iwi authorities to consider the draft and provide advice on it.

Letters were sent on 24 July to all iwi authorities (19) that are recorded by Council as being associated with the Auckland Region. The letters provided an explanation of the proposed plan change and sought their interest on receiving the draft plan change prior to notification.

Four iwi authorities responded (Manuhiri Kaitiaki Charitable Trust, Waiohua – Te Ahiwaru – Makaurau, Te Kawerau Iwi Tribal Authority & Settlement Trust, and Ngāti Whātua o Ōrākei) seeking further information, which was provided. Council staff met representatives from Waiohua – Te Ahiwaru – Makaurau and Te Kawerau Iwi Tribal Authority & Settlement Trust to discuss the proposed plan change.

In accordance with Schedule 1 clause 4A, a draft of the plan change and draft section 32 report was sent to all iwi authorities of the Auckland region. No feedback was received.

Consultation with other parties

On 6 September 2017, an email was sent to Auckland Council Parks to advise of the proposed plan change, and identify places subject to PPCX that are in Council Parks ownership or management. No response was received.

Engagement with owners and/or occupiers has occurred where they have identified a potential error. In some instances this has resulted in ongoing communication between Council staff and the particular landowners/occupiers.

The Heritage Advisory Panel was advised of PPCX at its 26 September meeting. No feedback was received.

6 Evaluation of provisions

This part of the report evaluates the provisions contained within PPCX, being an overview of the proposed amendments.

6.1 Overview of the amendments

No amendments are proposed to the columns 'ID'¹³, 'Additional rules for archaeological sites'¹⁴, and 'Place of Maori interest or significance'¹⁵ in PPCX.

The inclusion of a historic heritage place in Schedule 14.1 means the provisions of the Historic Heritage Overlay apply to that place. This is also known as the scheduling of a place. All places included in PPCX have been previously evaluated as having sufficient historic heritage value and significance to warrant their inclusion in the Historic Heritage Overlay and their ongoing protection and management under the AUP.

The Historic Heritage Overlay is based on a flexible management approach – whereby activities anticipated to have a greater effect on a place are subject to more rigorous management. The identification an extent of place, primary features, and exclusions is the basis of this flexible management approach, ensuring the management of a historic heritage place is specific to the features, and therefore the values and significance, of that particular place.

The identification of these elements of a historic heritage place requires correct and up-to-date information. It is reasonable to expect that the information held by Council on places may increase/change over time, along with the understanding of places and how they should be protected and managed.

¹³ Schedule 14.1 uses an identification reference for each place that is also shown on the viewer/planning maps.

¹⁴ Schedule 14.1 identifies those scheduled historic heritage places with archaeological values where additional archaeological rules apply (refer to D17 Historic Heritage Overlay).

¹⁵ Schedule 14.1 identifies scheduled historic heritage places that are sites or places of significance to Mana Whenua. These places may also be subject to D21 Sites and Places of Significance to Mana Whenua Overlay.

The process of refining management (as outlined in section 5.1) responds to these changes in information and in understanding. It also ensures unnecessary consent activity is not generated and that a property can be subject to reasonable use, while also continuing to protect historic heritage places from inappropriate subdivision, use, and development.

6.2 Amendments to ‘Place name and/or description’

PPCX proposes amendments to the names of 18 places. These amendments are predominantly to make the name of the place more historically correct and/or more consistent with the identification of similar places in Schedule 14.1.

There are two exceptions to this. One exception is the proposed amendment to Silverdale Pioneer Village (ID00609), from the existing name of Methodist Church (former). This amended name is not historically correct but is recommended to ensure the name reflects the collection of buildings within the village’s extent of place. The Methodist church, Wade School building, parsonage, and school house, are proposed to be added to ‘primary features’ for this place. The second exception is the proposed amendment to Kohekohe Presbyterian Church (former) and plaque (ID01541), from the existing name of Kohekohe Church Plaque. The church is within the existing mapped extent of place and an evaluation has been undertaken confirming the church as a category B historic heritage place.

6.3 Amendments to ‘Verified location’ and ‘Verified legal description’

PPCX proposes amendments to the address (known as the ‘verified location’) in Schedule 14.1) of 32 places. Amendments to the ‘verified legal description’ are proposed for 78 places.

Amendments to the address and/or legal description of a historic heritage place are predominantly for two reasons. The first reason is to ensure they align with the extent of place identified within the GIS viewer/planning maps. The second is to ensure they align with the Council’s property information, and therefore this information is searchable within the Council’s systems, for both landowners and Council staff.

6.4 Amendments to ‘Category’, including A*

Schedule 14.1 identifies the category of significance for historic heritage places. PPCX includes places that are category A, being of outstanding significance well beyond their immediate environs, and category B, being of considerable significance to a locality or greater geographic area. In addition, PPCX includes 10 places identified as category A*. Category A* places are the most significant scheduled historic heritage places from legacy plans where the total or substantial demolition or destruction was a discretionary or non-complying activity (rather than a prohibited activity). This is identified as an interim category until each place can be reviewed.¹⁶

¹⁶ Chapter D17.1 Background

PPCX proposes an amendment to the category of 11 places. Ten of these are the result of an A* review¹⁷. All A* reviews undertaken as part of PPCX have resulted in the places being identified as category B. The amendment of the World war I Memorial Beacon at Quay Street, Auckland Central was as this place had been incorrectly identified as category A in Schedule 14.1.

6.5 Amendments to ‘Primary feature’

The primary feature forms the fundamental basis for scheduling a historic heritage place, and is identified in Schedule 14.1. PPCX proposes the identification or amendment of primary features for 81 places.

Of these, 75 are for category B places. The identification of a primary feature for a category B place was introduced during the AUP hearings. For this reason, most category B places do not yet have a primary feature identified. The Historic Heritage Overlay requires that if the primary feature of a category B place is not identified, all features within the extent of place are considered primary when implementing the rules (refer to D17 Historic Heritage Overlay).

The remaining four primary features identified or amended are for category A places. In error, a small number of category A places do not have a primary feature identified. Category A places are subject to a more rigorous management regime, as is fitting for these places of outstanding historic heritage value. The demolition or destruction of 70 percent or more of these places, or the relocation of their features beyond the scheduled extent of place, is a prohibited activity, and other demolition, destruction and relocation activities are non-complying.

The identification of a primary feature is a key part of the flexible management approach of the Historic Heritage Overlay.

6.6 Amendments to ‘Heritage values’

Heritage values, also known in the AUP as ‘factors’¹⁸, are the identified values for a place, where they have been evaluated to be considerable or greater. The values are identified for each historic heritage place in Schedule 14.1 and are referenced with the following letters: A: historical; B: social; C: Mana Whenua; D: knowledge; E: technology; F: physical attributes; G: aesthetic; H: context.

PPCX proposes amendments to the identified heritage values of 20 places. The majority of these amendments are the result of an A* review, being for 10 places. Other amendments to

¹⁷ A* reviews were undertaken on Glen Eden Railway Station (ID00033), Mission Hall (ID00855), Birkenhead Point sea wall (ID00907), Northcote Methodist Church (00923), Auckland Harbour Bridge Memorial (ID00929), Northcote Point flag staff (ID00931), Takapuna Dairy Company (former) (ID01142), Clevedon Post Office (ID01332), Selwyn Church (ID01423), and Memorial gates (ID01470).

¹⁸ B5.2.2(1)

the identified heritage values are corrections to ensure consistency with similar places¹⁹ or to reflect the historic values identified in recent historic heritage evaluations²⁰.

6.7 Amendments to ‘Extent of place’

Policy B5.2.2(2) of the RPS requires the location and physical extent of each historic heritage place to be identified. This area, known as the ‘extent of place’, contains the historic heritage values of the place and, where appropriate, any area that is relevant to an understanding of the function, meaning and relationships of the historic heritage values of the place.

PPCX proposes amendments to the extent of place of 122 places. In addition 50 amendments are proposed to the Schedule 14.1 column of “Extent of place”.

A number of mapping errors were introduced through the creation of Schedule 14.1 and the AUP. Errors include identified extents of place that are too big, too small, or are located on the wrong property. Mapping errors can reduce the protection and management of historic heritage places. These errors can also apply the Historic Heritage Overlay where it is not required.

A proportion of mapping amendments relate to places previously introduced to the legacy Auckland Council District Plan – Operative North Shore Section 2002 through Proposed Plan Change 38²¹. These places are identified in the Historic Heritage Overlay but are identified as dots the GIS viewer/planning maps. PPCX proposed the addition of an extent of place to 62 of these places.

The identification of an extent of place is a key part of the flexible management approach of the Historic Heritage Overlay.

6.8 Amendments to ‘exclusions’

Some historic heritage places have identified exclusions in Schedule 14.1, for example the interiors of buildings or accessory buildings. Features listed as exclusions do not contribute to, or may detract from the values for which the historic heritage place has been scheduled or, particularly with the interiors of buildings, may not have been evaluated. Activities affecting features identified as exclusions are permitted or controlled (refer to D17 Historic Heritage Overlay).

PPCX proposes amendments to exclusions for 52 places. These amendments consist of:

- Addition of exclusions;

¹⁹ War Memorial (ID00076), Swanson Railway Station (ID00253), and the Devonport Jubilee Clocks (ID02694, ID02695, and ID02696).

²⁰ Kohekohe Presbyterian Church and plaque (ID01541), Auckland Synagogue and community centre (ID01965), Courts Building (ID02615), Waiuku War Memorial Town Hall and Backstage Theatre (ID02725), and Logan Bank (ID02726).

²¹ Being Changes to the legacy plan Appendix 11A: Schedule of Buildings, Objects and Places of Heritage Significance.

- Changes to the wording of existing exclusions, including where the exclusion is incorrect, unclear, or is inconsistent with how similar features have been identified in Schedule 14.1;
- Deletion of exclusions, including where an amended extent of place no longer covers the identified exclusion.

The identification of exclusions is a key part of the flexible management approach of the Historic Heritage Overlay.

6.9 Amendments to merge places

The Historic Heritage Overlay takes a place based approach to the identification of historic heritage places. During the roll-over of historic heritage places in to the AUP many individual legacy places were merged to reflect a place based approach but, in error, some were not. This has resulted in double entries into Schedule 14.1 with overlapping extents of place.

PPCX proposes the merging of individual historic heritage places where they have been reviewed and determined to be the same “place”. This is proposed for four places, being Dr Meinhold’s Helensville Hospital (former) (proposed to be merged under ID00453), the Orewa House and watchhouse (proposed to be merged under ID00603), Northcote Methodist Church, hall and parsonage (proposed to be merged under ID00903), and Civic House and the Fergusson Building (proposed to be merged under ID2041).

6.10 Amendments to places that are façades

Amendments are proposed to historic heritage places that are façades, being the Masonic Hall (ID02001) and Grand Hotel (ID02002), both located at 9 Princes Street, Bank of New Zealand (ID02031), at 125 Queen Street, and Sargood, Son and Ewen Building (ID02070), at 19-25 Victoria Street West. These places were reviewed to ensure all were identified consistently within Schedule 14.1 and the GIS viewer/planning maps. The review resulted in minor amendments, as proposed in PPCX.

7 Conclusion

PPCX seeks to amend 145 historic heritage places within Schedule 14.1 of the AUP. The purpose of the proposed plan change is to identify historic heritage places in Schedule 14.1 with correct and up-to-date information to ensure the provisions of the AUP Historic Heritage Overlay apply appropriately to these places and therefore assist in their protection and management.

The main conclusions of the evaluation under Part 2 and Section 32 of the Act are summarised below:

1. PPCX is consistent with the purpose of sustainable management in Section 5 and the principles within Sections 6, 7, and 8, and within Part 2 of the Act.

2. PPCX assists the Council in carrying out its functions set out in Sections 30 and 31 of the Act.
3. Pursuant to Section 75(3)(c) of the Act, PPCX is consistent with the objectives and policies of the Auckland Regional Policy Statement
4. The evaluation undertaken in accordance with Section 32 concluded:
 - i. The use of the existing objectives of the AUP would be the most appropriate way to achieve the purpose of the Act.
 - ii. The amendment of 145 historic heritage places identified in Schedule 14.1 is the most appropriate means of achieving the objectives identified in section 3 of this report.

Conclusion	This part of the report concludes that the proposed plan change is the most efficient, effective and appropriate means of addressing the resource management issues identified.
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